

## LAND USE APPLICATION SUMMARY

**Property Location:** 501, 507, 515 and 523 South 8<sup>th</sup> Street, 502 and 518 South 9<sup>th</sup> Street and 811 5<sup>th</sup> Avenue South

**Project Name:** Kraus Anderson Block Redevelopment

**Prepared By:** Hilary Dvorak, Principal Planner, (612) 673-2639

**Applicant:** Kraus-Anderson

**Project Contact:** Michael Korsh

**Request:** To subdivide tracts in order to construct a planned unit development including a 306-unit residential building, a 161-room hotel with a restaurant, a 12,000 square-foot brewery, a 13,000 square-foot event center, a 103,000 square-foot office building for Kraus-Anderson and 520 underground parking spaces.

*Required Applications:*

<b>Registered Land Survey</b>	RLS-83
-------------------------------	--------

## SITE DATA

<b>Existing Zoning</b>	B4N Downtown Neighborhood District DP Downtown Parking Overlay District
<b>Lot Area</b>	109,571 square feet / 2.52 acres
<b>Ward(s)</b>	7
<b>Neighborhood(s)</b>	Elliot Park, adjacent to Downtown West
<b>Designated Future Land Use</b>	Mixed Use
<b>Land Use Features</b>	Growth Center (Downtown)
<b>Small Area Plan(s)</b>	<u><i>Elliot Park Neighborhood Master Plan (2003)</i></u> <u><i>Downtown East/North Loop Master Plan (2003)</i></u>

<b>Date Application Deemed Complete</b>	June 13, 2016	<b>Date Extension Letter Sent</b>	Not applicable
<b>End of 60-Day Decision Period</b>	Not applicable	<b>End of 120-Day Decision Period</b>	October 11, 2016

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The property occupies the entire block bounded by South 8<sup>th</sup> Street, Portland Avenue, South 9<sup>th</sup> Street and 5<sup>th</sup> Avenue South. The property was most recently occupied by the 34,000 square-foot Kraus-Anderson office building and a 299 space surface parking lot.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The site is surrounded by a mixture of residential developments of varying densities, hotels, office buildings, commercial establishments and both surface and structured parking facilities. The site is located in the Elliot Park neighborhood.

**PROJECT DESCRIPTION.** The applicant is constructing a planned unit development involving three separate buildings. The development includes a 306-unit residential building, a 161-room hotel with a restaurant, a 12,000 square-foot brewery (Limited production and processing), a 13,000 square-foot event center, a 103,000 square-foot office building for Kraus-Anderson and 520 underground parking spaces.

The applicant has submitted a final vertical Registered Land Survey (RLS) to vertically subdivide the proposed buildings into different tracts for ownership purposes.

**RELATED APPROVALS.** On March 14, 2016, a conditional use permit for a planned unit development, site plan review and a preliminary RLS were approved by the City Planning Commission.

**PUBLIC COMMENTS.** No comment letters have been received in regards to this application. Any additional correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

## ANALYSIS

### REGISTERED LAND SURVEY

The Department of Community Planning and Economic Development has analyzed the application for a Registered Land Survey based on the following findings:

1. *The subdivision is in conformance with these land subdivision regulations, the applicable regulations of the zoning ordinance and policies of the comprehensive plan.*

The applicant is proposing to vertically subdivide the proposed buildings into different tracts for ownership purposes. Individual lots within a planned unit development are exempt from the public street frontage requirement of section 598.230 and the design requirements of sections 598.240 and 598.250. The subdivision is in conformance with the design requirements of the land subdivision regulations.

Section 598.260 Planned unit developments and cluster design, requires the design of a subdivision for a planned unit development to implement the site plan as approved by the Planning Commission and shall include a deed restriction designating the following:

- a. *The relationship between all common spaces and each individual lot (rights in the common spaces and proportionate ownership accruing to the individual lot).*

The applicant will be filing a Reciprocal Easement Agreement that addresses the relationship and rights of the owners of the tracts within the subdivision related to common area, access, maintenance and taxes.

- b. *Provision for access to each lot that does not have frontage on a public street.*

The applicant will be filing a Reciprocal Easement Agreement that addresses the relationship and rights of the owners of the tracts within the subdivision related to common area, access, maintenance and taxes.

- c. *A requirement that an owner's association be created. The duties and responsibilities of the owner's association shall include maintaining the elements of the planned unit development as authorized under the zoning ordinance or other applicable regulations.*

The applicant will be filing a Reciprocal Easement Agreement that addresses the relationship and rights of the owners of the tracts within the subdivision related to common area, access, maintenance and taxes.

- d. *A provision that the taxes, special assessments, and other charges and fees that would normally be levied against the common spaces shall be levied against the individual lot occupied or to be occupied by buildings in direct proportion to the interest that is stated in the deed restriction and shall provide that such levies shall be a lien against the individual lots.*

The applicant will be filing a Reciprocal Easement Agreement that addresses the relationship and rights of the owners of the tracts within the subdivision related to common area, access, maintenance and taxes.

- e. *A requirement that any disposition of any of the common property situated within the planned unit development shall not be made without the prior approval of the Planning Commission.*

If an amendment is made to the Planned Unit Development the proposed amendments shall be reviewed and approved by the City Planning Commission.

2. *The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.*

The proposed subdivision will allow for proposed and future redevelopment of the site. Surrounding uses include a mixture of residential developments of varying densities, hotels, office buildings, commercial establishments and both surface and structured parking facilities. A Travel Demand Management Plan (TDMP) was completed for the proposed development. The study concludes that, overall, the proposed uses have minimal traffic impacts on intersection operations, all intersections have adequate capacity to accommodate the number of trips that will be generated and, therefore, impacts on existing roadway operations are minimal. In addition, the site has been designed so all truck maneuvering and loading will occur on site.

3. *All land intended for building sites can be used safely without endangering the residents or users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements or other hazard.*

The land intended for building can be used safely without endangering the residents or users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements or other hazard.

4. *The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an*

*approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.*

The tracts created by this application present no foreseeable difficulties for this development. No significant alterations to the land appear necessary.

5. *The subdivision makes adequate provision for stormwater runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development will not exceed the amount occurring prior to development.*

The Surface Water and Sewers Division of the Public Works Department have reviewed and approved the drainage and sanitary system plans for this development.

## RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the application by Kraus-Anderson for the properties located at 501, 507, 515 and 523 South 8<sup>th</sup> Street, 502 and 518 South 9<sup>th</sup> Street and 811 5<sup>th</sup> Avenue South:

### A. Registered Land Survey.

Recommended motion: **Approve** the Registered Land Survey, subject to the following conditions:

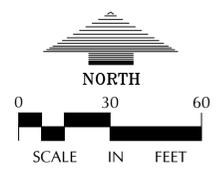
1. The Reciprocal Easement Agreement shall be recorded with Hennepin County.
2. This RLS creates tracts that, if separately redeveloped, would not meet the requirements of the zoning and subdivision ordinance for lot frontage on a public street. Approval of this RLS does not constitute approval for the separate redevelopment of any tract if such tract does not comply with applicable subdivision ordinances.

## ATTACHMENTS

- I. Final RLS

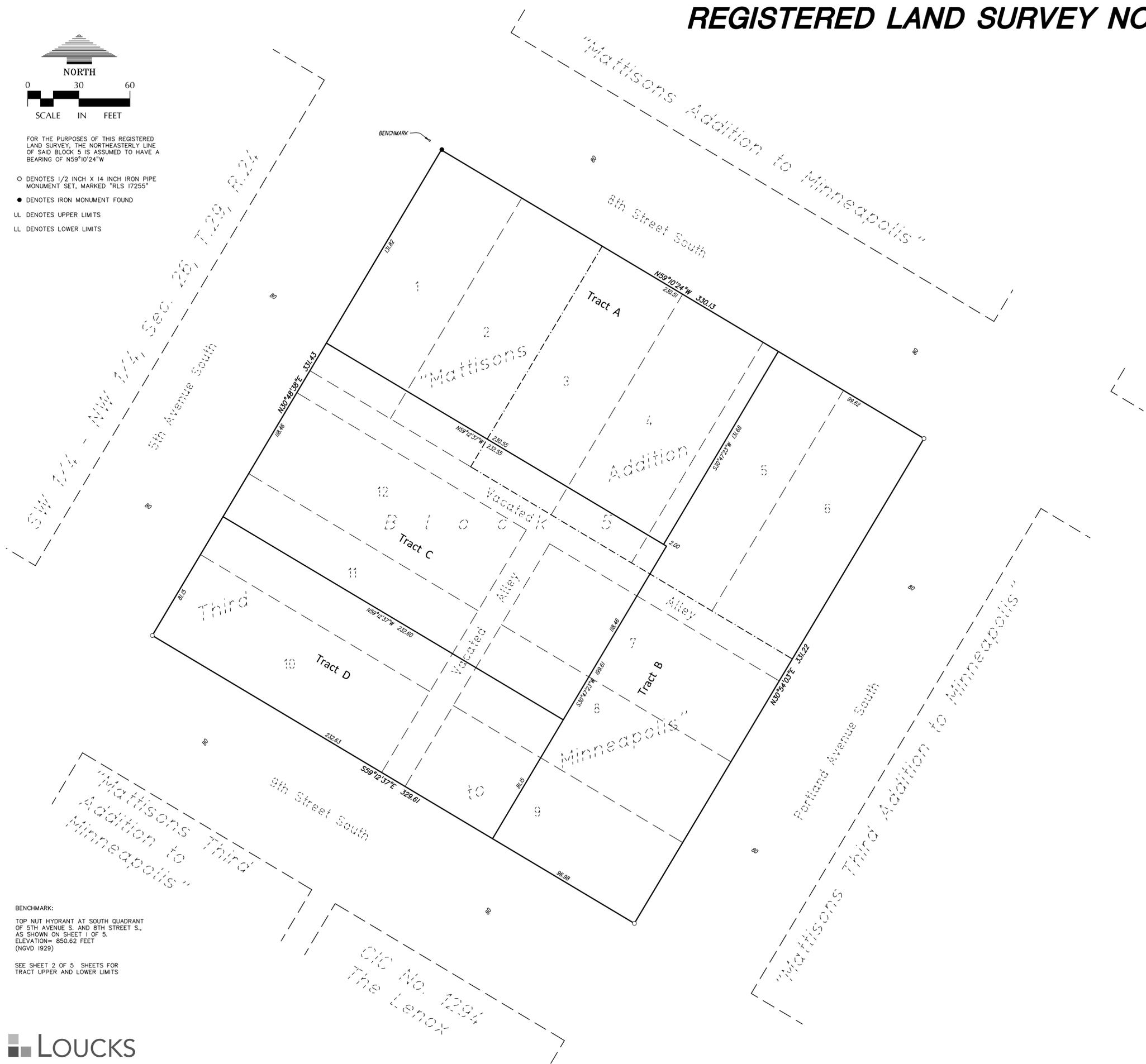
# REGISTERED LAND SURVEY NO. \_\_\_\_\_

R.T. DOC. No. \_\_\_\_\_  
 C.R. DOC. No. \_\_\_\_\_



FOR THE PURPOSES OF THIS REGISTERED LAND SURVEY, THE NORTHEASTERLY LINE OF SAID BLOCK 5 IS ASSUMED TO HAVE A BEARING OF N59°10'24"W

- DENOTES 1/2 INCH X 14 INCH IRON PIPE MONUMENT SET, MARKED "RLS 17255"
- DENOTES IRON MONUMENT FOUND
- UL DENOTES UPPER LIMITS
- LL DENOTES LOWER LIMITS



BENCHMARK:  
 TOP NUT HYDRANT AT SOUTH QUADRANT OF 5TH AVENUE S. AND 8TH STREET S., AS SHOWN ON SHEET 1 OF 5. ELEVATION= 850.62 FEET (NGVD 1929)

SEE SHEET 2 OF 5 SHEETS FOR TRACT UPPER AND LOWER LIMITS

CID No. 1294  
 The Lenox

I, Henry D. Nelson, Professional Land Surveyor, do hereby certify that, in accordance with the provisions of Minnesota Statutes, Section 508.47, have surveyed the following described property situated in the County of Hennepin, State of Minnesota:

Lots 3, 4, 5 and 6, Block 5, "Mattisons Third Addition To Minneapolis", but not including any part of the vacated alley in said Block 5.

AND

Lots 1, 2, 7, 8, 9, 10, 11 and 12, Block 5 of Mattisons Third Addition To Minneapolis; and All of the vacated alley in Block 5, "Mattisons Third Addition To Minneapolis".

I hereby certify that this REGISTERED LAND SURVEY was prepared by me or under my direct supervision; than I am a duly Licensed Land Surveyor under the laws of the State of Minnesota and that this REGISTERED LAND SURVEY is a correct representation of said parcel of land.

Dated this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

Henry D. Nelson, Professional Land Surveyor  
 Minnesota License No. 17255

State of Minnesota  
 County of Hennepin

The foregoing Surveyor's Certificate was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 201\_\_ by Henry D. Nelson, a Licensed Land Surveyor.

Notary Public \_\_\_\_\_, County, Minnesota  
 My Commission Expires January 31, 2020

**PLANNING COMMISSION, MINNEAPOLIS, MINNESOTA**

I, The Secretary of the Planning Commission of the City of Minneapolis, Minnesota, do hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, the City of Minneapolis acting by and through its City Planning Commission duly approved this REGISTERED LAND SURVEY, and duly authorized such action of the Commission by its Secretary. The prescribed ten-day period for appeal has elapsed without receipt of an appeal, as provided by Title 22, Section 598.320 of the Minneapolis Code of Ordinances.

\_\_\_\_\_, Secretary of Planning Commission

**MINNEAPOLIS, MINNESOTA**

I hereby certify that this REGISTERED LAND SURVEY was approved by the City Planning Commission of the City of Minneapolis at a meeting thereof held this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

City Clerk of Minneapolis, Minnesota

\_\_\_\_\_, City Clerk

**RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota**

I hereby certify that taxes payable in 201\_\_ and prior years have been paid for land described on this plat, dated this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

Mark V. Chapin, Hennepin County Auditor

By \_\_\_\_\_, Deputy

**SURVEY DIVISION, Hennepin County, Minnesota**

Pursuant to MINNESOTA STATUTE Sec. 383B.565 (1969) this REGISTERED LAND SURVEY has been approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Chris F. Mavis, Hennepin County Surveyor

By \_\_\_\_\_

**REGISTRAR OF TITLES, Hennepin County, Minnesota**

I hereby certify that the within REGISTERED LAND SURVEY NO. \_\_\_\_\_ was filed in this office this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_ o'clock \_\_\_\_M.

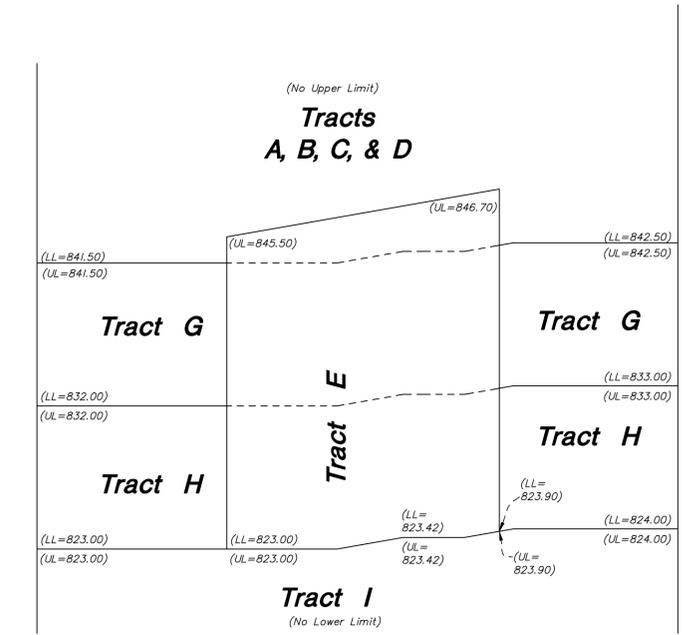
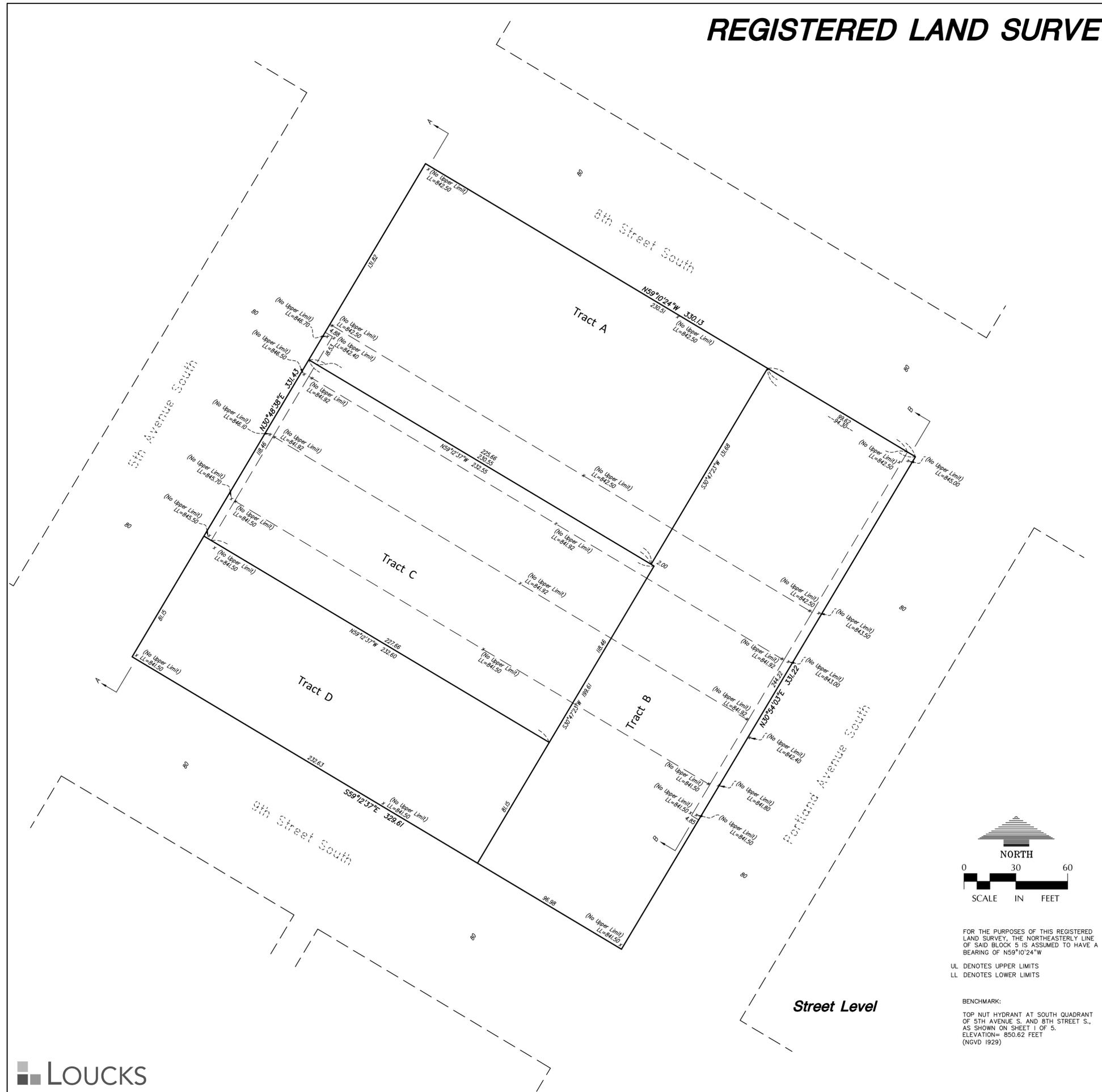
Martin McCormick, Registrar of Titles

By \_\_\_\_\_ Deputy

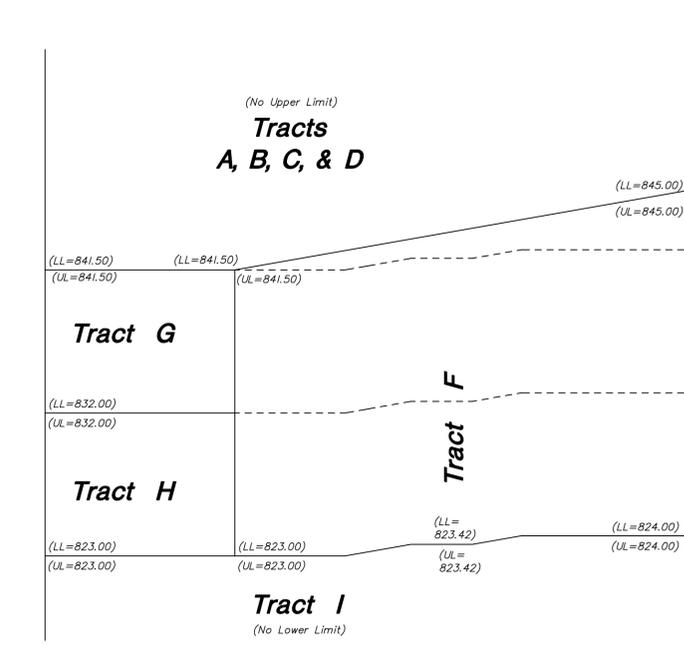


# REGISTERED LAND SURVEY NO. \_\_\_\_\_

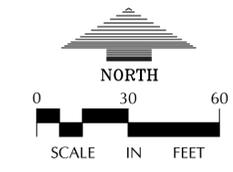
R.T. DOC. No. \_\_\_\_\_  
 C.R. DOC. No. \_\_\_\_\_



**Profile View Section "A-A"**  
 (Not Drawn to Scale)  
 UL = UPPER LIMIT  
 LL = LOWER LIMIT



**Profile View Section "B-B"**  
 (Not Drawn to Scale)  
 UL = UPPER LIMIT  
 LL = LOWER LIMIT

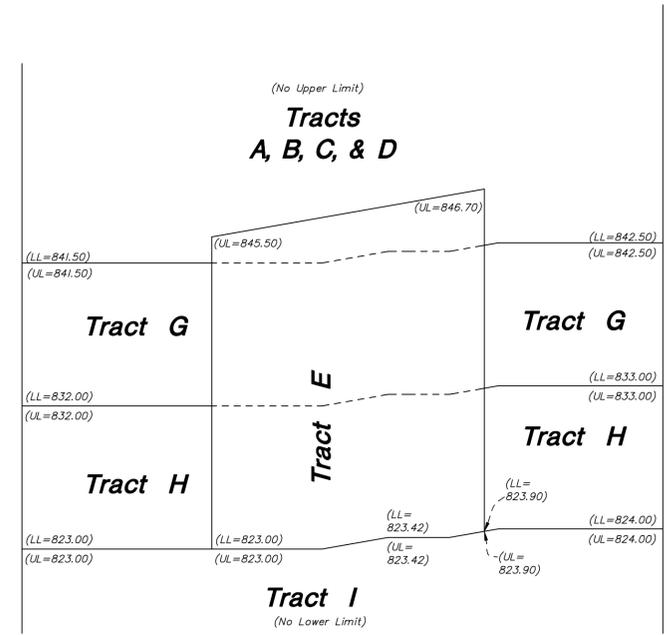
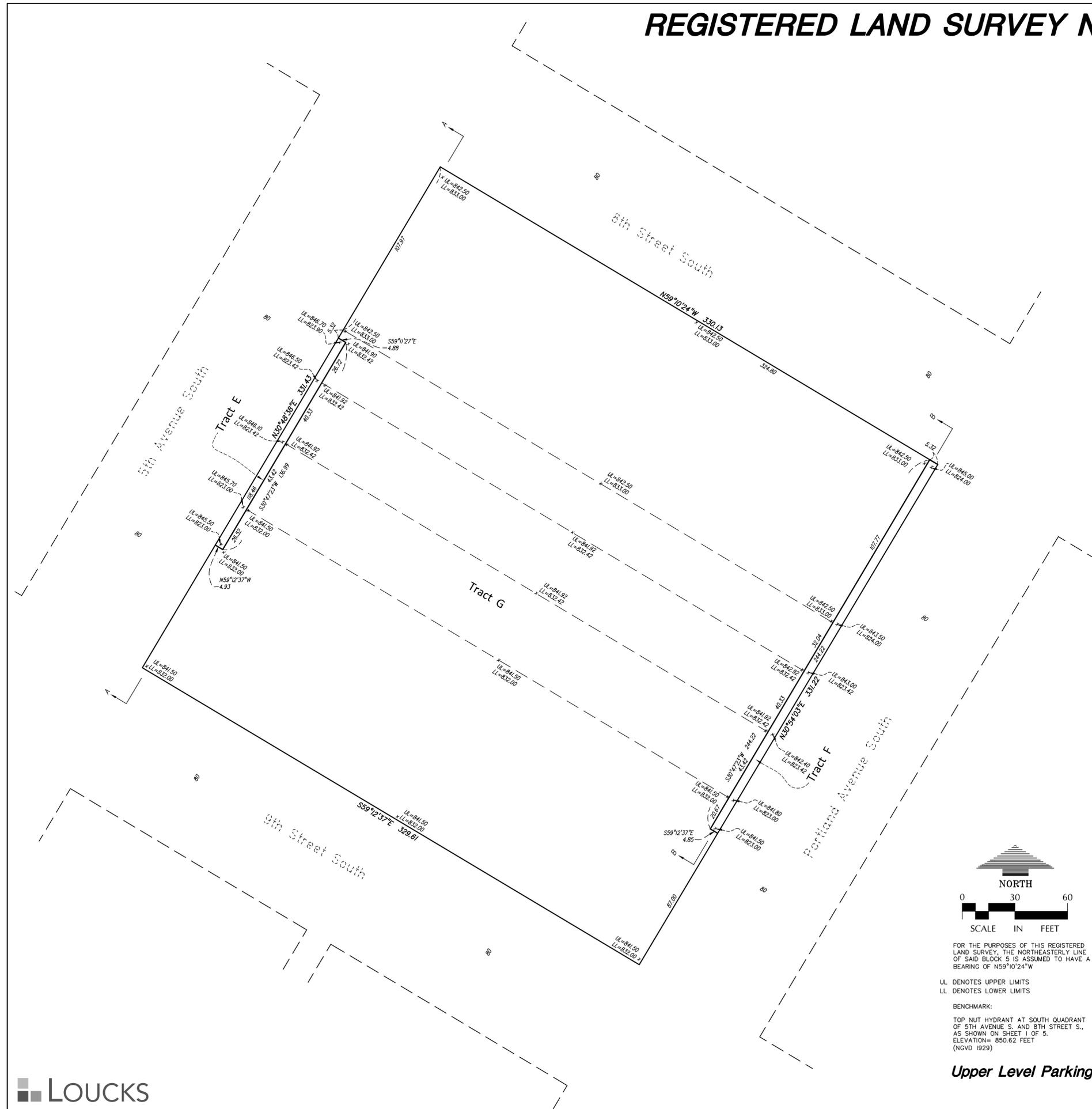


FOR THE PURPOSES OF THIS REGISTERED LAND SURVEY, THE NORTHEASTERLY LINE OF SAID BLOCK 5 IS ASSUMED TO HAVE A BEARING OF N59°10'24"W

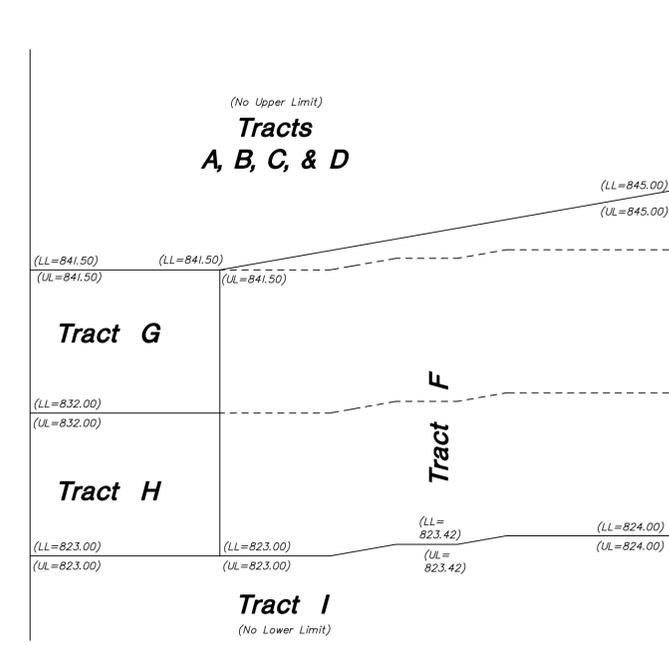
UL DENOTES UPPER LIMITS  
 LL DENOTES LOWER LIMITS

BENCHMARK:  
 TOP NUT HYDRANT AT SOUTH QUADRANT OF 5TH AVENUE S. AND 8TH STREET S., AS SHOWN ON SHEET 1 OF 5. ELEVATION= 850.62 FEET (NGVD 1929)

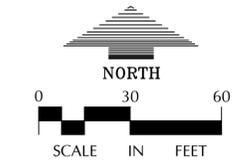
**Street Level**



**Profile View Section "A-A"**  
(Not Drawn to Scale)  
UL = UPPER LIMIT  
LL = LOWER LIMIT



**Profile View Section "B-B"**  
(Not Drawn to Scale)  
UL = UPPER LIMIT  
LL = LOWER LIMIT

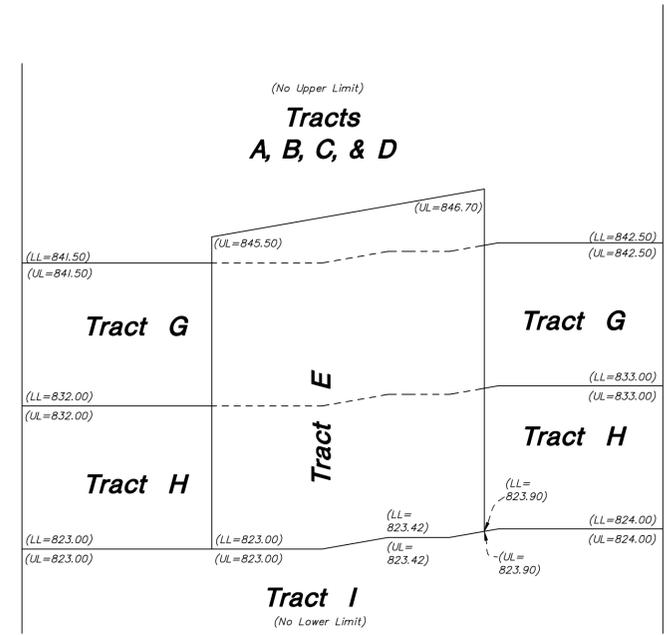
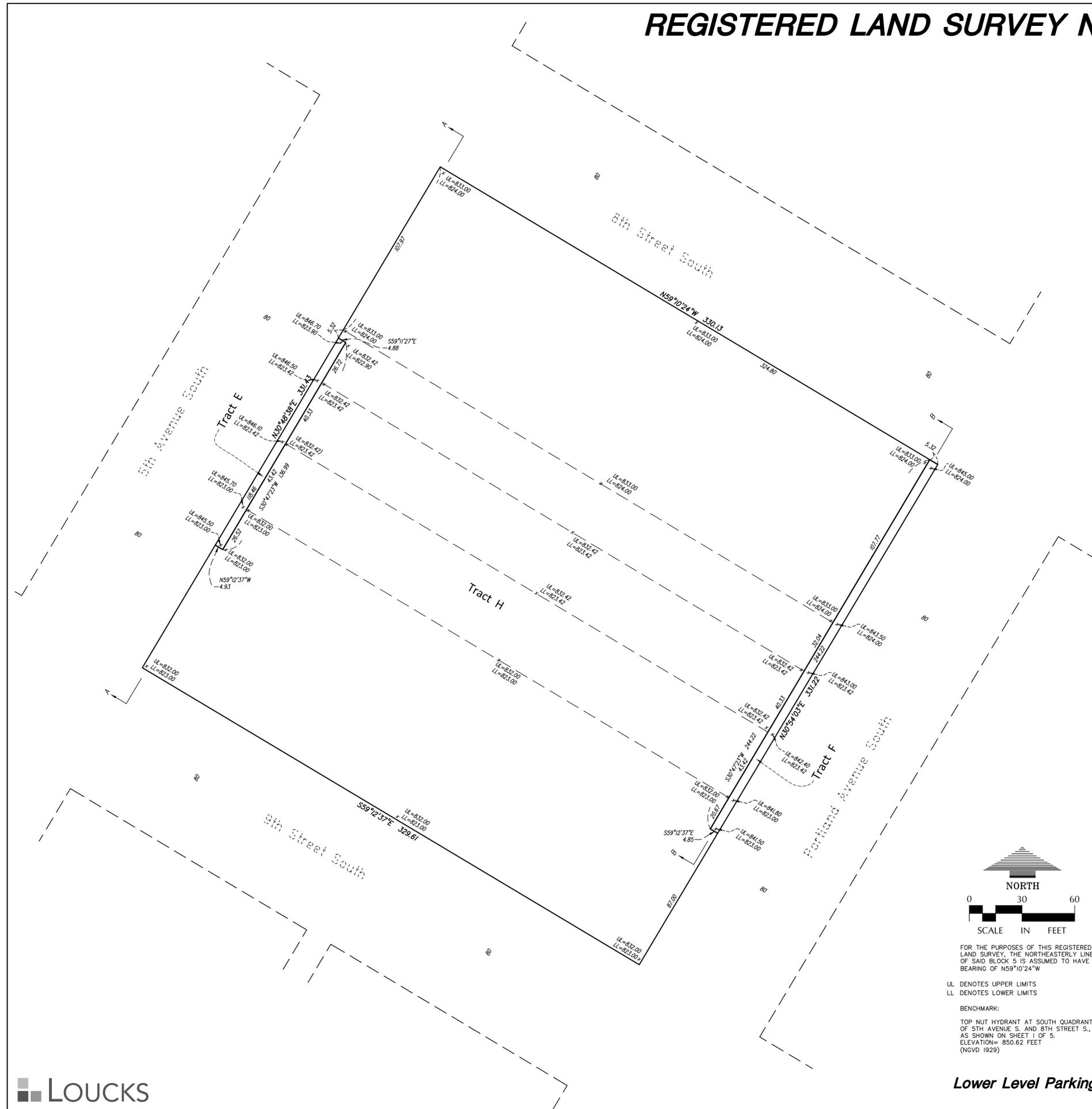


FOR THE PURPOSES OF THIS REGISTERED LAND SURVEY, THE NORTHEASTERLY LINE OF SAID BLOCK 5 IS ASSUMED TO HAVE A BEARING OF N59°10'24"W

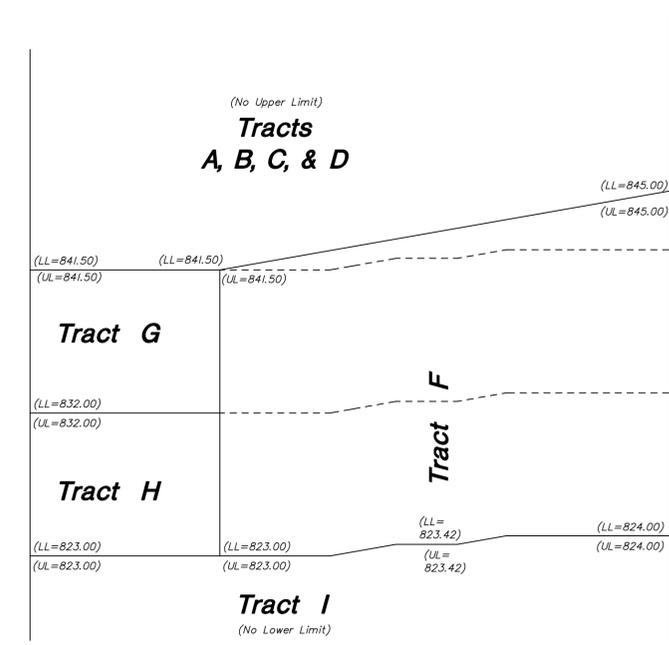
UL DENOTES UPPER LIMITS  
LL DENOTES LOWER LIMITS

BENCHMARK:  
TOP NUT HYDRANT AT SOUTH QUADRANT OF 5TH AVENUE S. AND 8TH STREET S., AS SHOWN ON SHEET 1 OF 5, ELEVATION= 850.62 FEET (NGVD 1929)

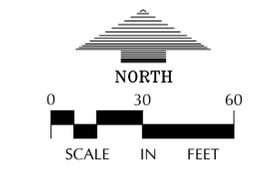
**Upper Level Parking**



**Profile View Section "A-A"**  
(Not Drawn to Scale)  
UL = UPPER LIMIT  
LL = LOWER LIMIT



**Profile View Section "B-B"**  
(Not Drawn to Scale)  
UL = UPPER LIMIT  
LL = LOWER LIMIT



FOR THE PURPOSES OF THIS REGISTERED LAND SURVEY, THE NORTHEASTERLY LINE OF SAID BLOCK 5 IS ASSUMED TO HAVE A BEARING OF N59°10'24"W

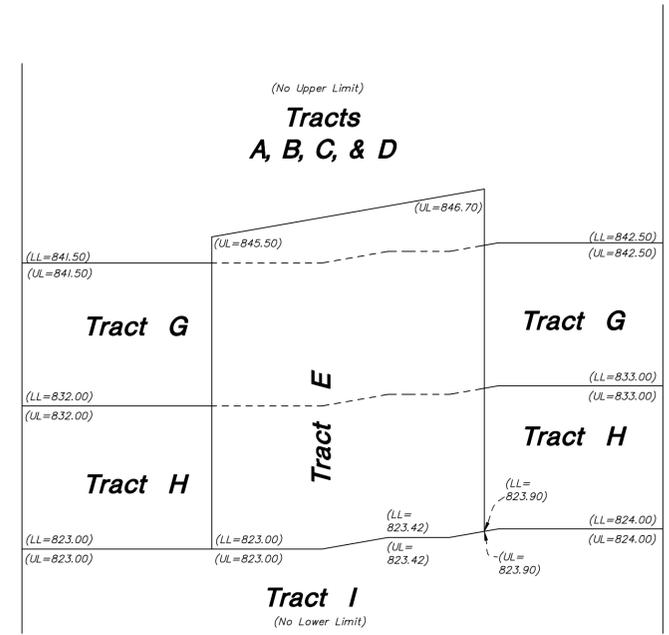
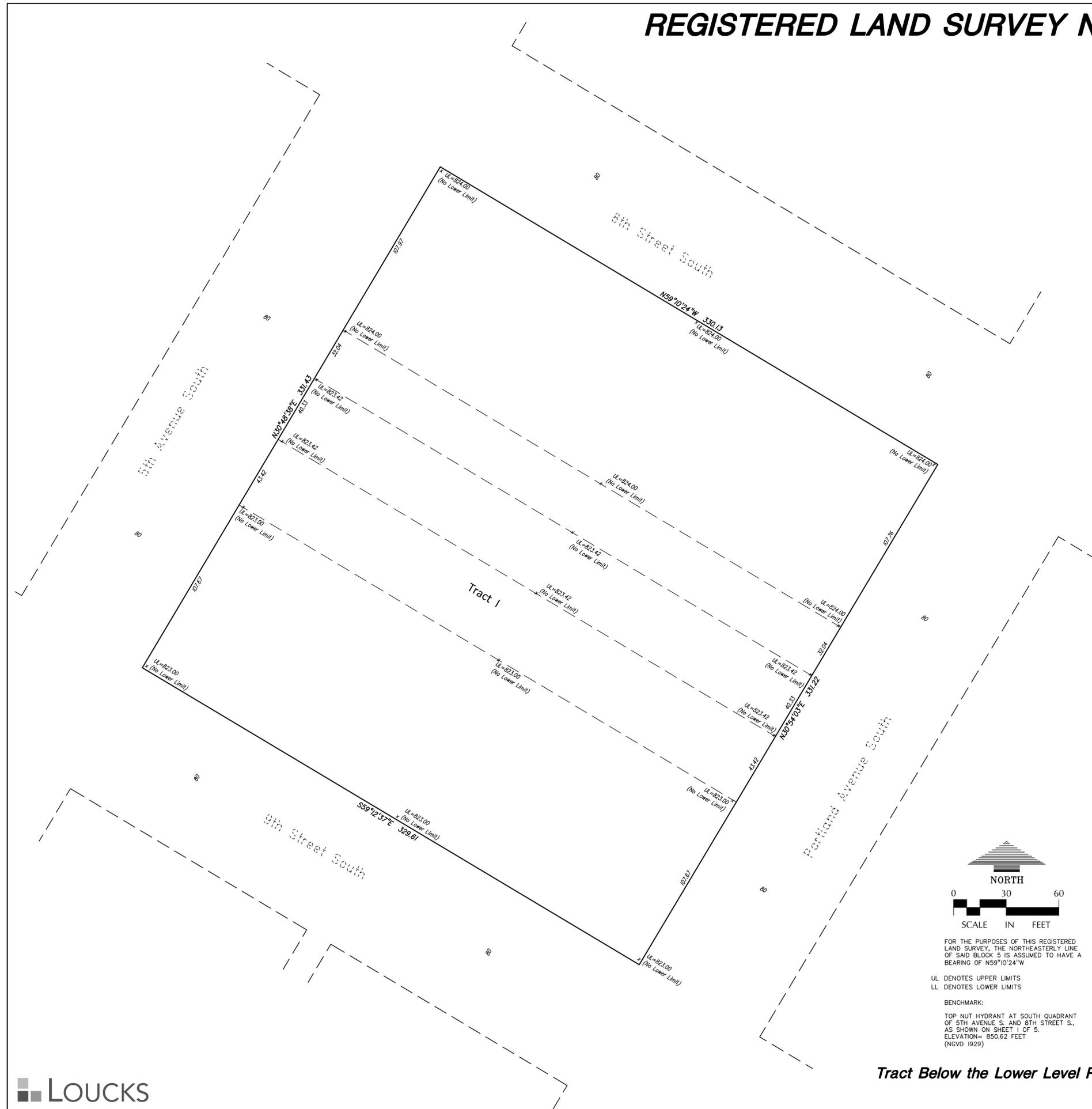
UL DENOTES UPPER LIMITS  
LL DENOTES LOWER LIMITS

BENCHMARK:  
TOP NUT HYDRANT AT SOUTH QUADRANT OF 5TH AVENUE S. AND 8TH STREET S., AS SHOWN ON SHEET 1 OF 5. ELEVATION= 850.62 FEET (NGVD 1929)

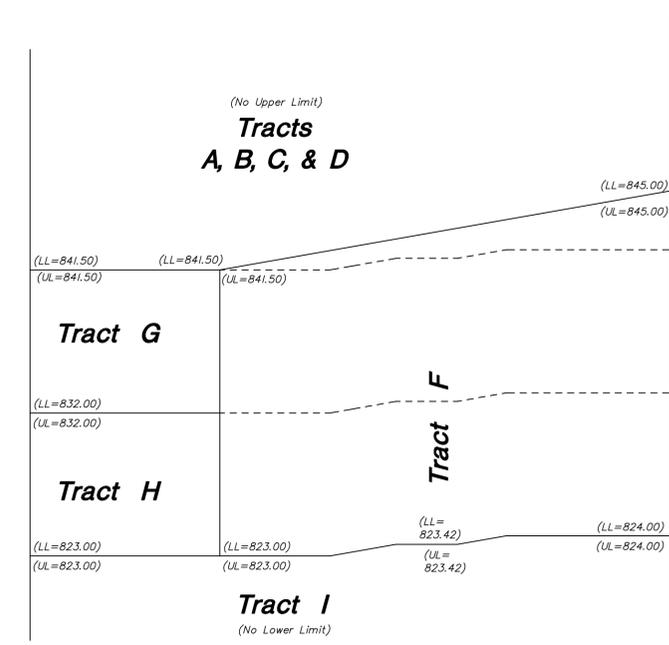
**Lower Level Parking**

# REGISTERED LAND SURVEY NO. \_\_\_\_\_

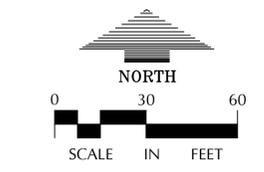
R.T. DOC. No. \_\_\_\_\_  
 C.R. DOC. No. \_\_\_\_\_



**Profile View Section "A-A"**  
 (Not Drawn to Scale)  
 UL = UPPER LIMIT  
 LL = LOWER LIMIT



**Profile View Section "B-B"**  
 (Not Drawn to Scale)  
 UL = UPPER LIMIT  
 LL = LOWER LIMIT



FOR THE PURPOSES OF THIS REGISTERED LAND SURVEY, THE NORTHEASTERLY LINE OF SAID BLOCK 5 IS ASSUMED TO HAVE A BEARING OF  $N59^{\circ}10'24''W$

UL DENOTES UPPER LIMITS  
 LL DENOTES LOWER LIMITS

BENCHMARK:  
 TOP NUT HYDRANT AT SOUTH QUADRANT OF 5TH AVENUE S. AND 8TH STREET S., AS SHOWN ON SHEET 1 OF 5.  
 ELEVATION= 850.62 FEET (NGVD 1929)

**Tract Below the Lower Level Parking**